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**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
ERNEST EDEARD DAVIS,
Defendant.

Case No. ED CR 17-112
ORDER OF DETENTION

I.

On August 7, 2017, Defendant made his initial appearance on the Indictment filed in this case. Defendant submitted on the Pretrial Services Officer's recommendation of detention.

☐ On motion of the Government [18 U.S.C. § 3142(f)(1)] in a case allegedly involving a narcotics or controlled substance offense with maximum sentence of ten or more years.

☒ On motion by the Government or on the Court's own motion [18 U.S.C. § 3142(f)(2)] in a case allegedly involving a serious risk that the defendant will flee.

The Court concludes that the Government is not entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure the defendant's appearance as required and the safety of any person or the community [18 U.S.C. § 3142(e)(2)].

II.

The Court finds that no condition or combination of conditions will reasonably assure: ☒ the appearance of the defendant as required.

☒ the safety of any person or the community.

III.

The Court has considered: (a) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device; (b) the weight of evidence against the defendant; (c) the history and characteristics of the defendant; and (d) the nature and seriousness of the danger to any person or the community. [18 U.S.C. § 3142(g)] The Court also considered the report and recommendation of the U.S. Pretrial Services Agency.

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2 IV.

3 The Court bases its conclusions on the following:

4 As to risk of non-appearance:

5 ☒ Defendant is currently serving a five-year custodial sentence, imposed
6 in January 2016, pursuant to a federal felony conviction for possession of
7 methamphetamine with the intent to distribute from the District of Utah.

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9 As to danger to the community:

10 ☒ Defendant is currently serving a five-year custodial sentence, imposed
11 in January 2016, pursuant to a federal felony conviction for possession of
12 methamphetamine with the intent to distribute from the District of Utah.

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14 V.

15 IT IS THEREFORE ORDERED that the defendant be detained until trial.
16 The defendant will be committed to the custody of the Attorney General for
17 confinement in a corrections facility separate, to the extent practicable, from
18 persons awaiting or serving sentences or being held in custody pending appeal.
19 The defendant will be afforded reasonable opportunity for private consultation
20 with counsel. On order of a Court of the United States or on request of any
21 attorney for the Government, the person in charge of the corrections facility in
22 which defendant is confined will deliver the defendant to a United States Marshal
23 for the purpose of an appearance in connection with a court proceeding.

24 [18 U.S.C. § 3142(i)]

25 Dated: August 7, 2017

26 _____ /s/

27 ALKA SAGAR
28 UNITED STATES MAGISTRATE JUDGE